

**FIFTY-THIRD DAY**

(Monday, April 12, 1971)

The Senate met at 2:30 o'clock p.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Harrington	Sherman
Herring	Wallace
Hightower	Watson

**Absent--Excused**

Connally	Snelson
Grover	Wilson
Hall	Word
Harris	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, April 7, 1971, was dispensed with and the Journal was approved.

**Leaves of Absence**

Senator Hall was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senator Word was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senator Harris was granted leave of absence for today on account of illness on motion of Senator Creighton.

Senator Snelson was granted leave of absence for today on account of important business on motion of Senator Blanchard.

Senator Wilson was granted leave of absence for today on account of important business on motion of Senator Hightower.

Senator Connally was granted leave of absence for today on account of important business on motion of Senator Blanchard.

Senator Grover was granted leave of absence for today on account of important business on motion of Senator Hightower.

**Resolution Signed**

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolution:

S. C. R. No. 71.

**Reports of Standing Committees**

Senator Mauzy submitted the following report for the Committee on Education:

S. B. No. 695 (Floor Report).

Senator Kennard submitted the following report for the Committee on Parks and Wildlife:

H. B. No. 722 (Floor Report).

**Senate Resolution 942**

Senator Moore offered the following resolution:

Whereas, It is a privilege for Members of the Senate of Texas to pay tribute to one of our distinguished colleagues on the occasion of his 24th wedding anniversary; and

Whereas, H. J. "Doc" Blanchard and Mary Thomas were joined in marriage on April 12, 1947; their marriage has been blessed with five delightful children; Adrienne, Jeff, John Ben, Hank and Cliff; and

Whereas, During the 24 years as the wife of "Doc" Blanchard, Mary has given him her loyal support and encouragement throughout his career which began as an attorney in private practice, then as a member of the House of Representatives from 1956 until 1962, and as a member of the Senate since 1962; now, therefore, be it

Resolved, That the Senate of the 62nd Legislature offer congratulations to Senator H. J. "Doc" Blanchard and his wife Mary on their 24th wedding anniversary; and express to them our best wishes for many more years of happiness.

MOORE

Signed—Lieutenant Governor Ben Barnes; Aikin, Bates, Beckworth, Bernal, Bridges, Brooks, Christie, Connally, Creighton, Grover, Hall, Harrington, Harris, Herring, Hightower, Jordan, Kennard, Kothmann, Mauzy, McKool, Patman, Ratliff, Schwartz, Sherman, Snelson, Wallace, Watson, Wilson, and Word.

The resolution was read.

On motion of Senator Kennard and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Moore the resolution was adopted.

#### Senate Bill 369 on Third Reading

Senator Mauzy moved to suspend the regular order of business and take up S. B. No. 369 for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—16

Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Bridges	McKool
Brooks	Patman
Christie	Schwartz
Harrington	Wallace
Jordan	Watson

#### Nays—8

Aikin	Hightower
Blanchard	Moore
Creighton	Ratliff
Herring	Sherman

#### Absent—Excused

Connally	Snelson
Grover	Wilson
Hall	Word
Harris	

The President laid before the Senate on its third reading and final passage:

S. B. No. 369, A bill to be entitled "An Act requiring the use of the jury wheel in all counties and providing the source of names to be used for jury wheels; etc.; and declaring an emergency."

The bill was read third time and was passed.

#### Record of Votes

Senators Moore, Creighton, Ratliff, Aikin, Blanchard and Hightower asked to be recorded as voting "Nay" on the final passage of the bill.

#### Senate Bill 264 on Third Reading

Senator Jordan moved to suspend the regular order of business and take up S. B. No. 264 for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—18

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Bridges	Mauzy
Brooks	McKool
Christie	Schwartz
Harrington	Sherman
Herring	Wallace

#### Nays—6

Blanchard	Patman
Creighton	Ratliff
Moore	Watson

#### Absent—Excused

Connally	Snelson
Grover	Wilson
Hall	Word
Harris	

The President laid before the Senate on its third reading and final passage:

S. B. No. 264, A bill to be entitled "An Act amending Article 8309c-1, Workmen's Compensation for employees of certain drainage districts; etc.; and declaring an emergency."

The bill was read third time and was passed.

#### Record of Votes

Senators Moore, Patman, Creighton, Ratliff, Blanchard and Watson asked to be recorded as voting "Nay" on the final passage of the bill.

#### Senate Bill 798 on Third Reading

Senator Jordan moved to suspend the regular order of business and take up S. B. No. 798 for consideration at this time.

The motion prevailed by the following vote:

## Yeas—16

Aikin	Herring
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Bridges	Mauzy
Brooks	McKool
Christie	Schwartz
Harrington	Wallace

## Nays—8

Blanchard	Patman
Creighton	Ratliff
Hightower	Sherman
Moore	Watson

## Absent—Excused

Connally	Snelson
Grover	Wilson
Hall	Word
Harris	

The President laid before the Senate on its third reading and final passage:

S. B. No. 798, A bill to be entitled "An Act relating to the extension of workmen's compensation insurance to employees of hospital districts that have been or may be created by the Legislature in accordance with Section 9, Article IX, Constitution of the State of Texas; etc.; and declaring an emergency."

The bill was read third time and was passed.

## Record of Votes

Senators Blanchard, Patman, Creighton, Moore, Sherman, Watson, Ratliff, and Hightower asked to be recorded as voting "Nay" on the final passage of the bill.

## Senate Bill 364 on Third Reading

Senator Mauzy moved to suspend the regular order of business and take up S. B. No. 364 for consideration at this time.

The motion prevailed by the following vote:

## Yeas—16

Bates	Bernal
Beckworth	Bridges

Brooks	Kennard
Christie	Kothmann
Harrington	Mauzy
Herring	McKool
Hightower	Schwartz
Jordan	Wallace

## Nays—8

Aikin	Patman
Blanchard	Ratliff
Creighton	Sherman
Moore	Watson

## Absent—Excused

Connally	Snelson
Grover	Wilson
Hall	Word
Harris	

The President laid before the Senate on its third reading and final passage:

S. B. No. 364, A bill to be entitled "An Act amending Article 8309c, Workmen's Compensation for employment of counties; etc.; and declaring an emergency."

The bill was read third time and was passed.

## Record of Votes

Senators Blanchard, Patman, Creighton, Moore, Watson, and Ratliff asked to be recorded as voting "Nay" on the final passage of the bill.

## House Bill 524 on Second Reading

On motion of Senator Sherman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 524, A bill to be entitled "An Act providing for the creation of the Deaf Smith County Hospital District over all Deaf Smith County, Texas; etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

## House Bill 524 on Third Reading

Senator Sherman moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 524 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—24

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Harrington	Sherman
Herring	Wallace
Hightower	Watson

## Absent—Excused

Connally	Snelson
Grover	Wilson
Hall	Word
Harris	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—24

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Harrington	Sherman
Herring	Wallace
Hightower	Watson

## Absent—Excused

Connally	Snelson
Grover	Wilson
Hall	Word
Harris	

**Committee Substitute**  
**Senate Bill 177 on Second Reading**

On motion of Senator McKool and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 177, A bill to be entitled "An Act relating to the ex-

emption from tuition fees of veterans of the Cold War; etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Committee Substitute**  
**Senate Bill 177 on Third Reading**

Senator McKool moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 177 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—22

Aikin	Kennard
Bates	Kothmann
Beckworth	Mauzy
Bernal	McKool
Bridges	Moore
Christie	Patman
Creighton	Ratliff
Harrington	Schwartz
Herring	Sherman
Hightower	Wallace
Jordan	Watson

## Nays—2

Blanchard	Brooks
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## Absent—Excused

Connally	Snelson
Grover	Wilson
Hall	Word
Harris	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

(Senator Aikin in Chair.)

**Senate Bill 255 on Second Reading**

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 255, A bill to be entitled "An Act relating to the powers, duties, composition, and terms of office of the Commission on Fire Protection Personnel Standards and Education; etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 255 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 255 be placed on its third reading and final passage.

The motion prevailed by the following vote:

##### Yeas—24

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Harrington	Sherman
Herring	Wallace
Hightower	Watson

##### Absent—Excused

Connally	Snelson
Grover	Wilson
Hall	Word
Harris	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 612 on Second Reading

On motion of Senator Hightower and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 612, A bill to be entitled "An Act to amend Statutes to give the State Board of Insurance the power to adopt rules and regulations relating to the safe operation of mobile service units; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 612 on Third Reading

Senator Hightower moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 612 be placed on its third reading and final passage.

The motion prevailed by the following vote:

##### Yeas—24

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Harrington	Sherman
Herring	Wallace
Hightower	Watson

##### Absent—Excused

Connally	Snelson
Grover	Wilson
Hall	Word
Harris	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

##### Yeas—24

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Harrington	Sherman
Herring	Wallace
Hightower	Watson

##### Absent—Excused

Connally	Snelson
Grover	Wilson
Hall	Word
Harris	

**Senate Bill 343 on Second Reading**

On motion of Senator Blanchard and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 343, A bill to be entitled "An Act amending Article 6472a, Vernon's Texas Civil Statutes, providing for the taking of written and oral depositions in matters pending before the Railroad Commission of Texas, or any division thereof; etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Senate Bill 343 on Third Reading**

Senator Blanchard moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 343 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—25**

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Harrington	Wallace
Herring	Watson
Hightower	

**Absent—Excused**

Grover	Snelson
Hall	Wilson
Harris	Word

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—25**

Aikin	Bernal
Bates	Blanchard
Beckworth	Bridges

Brooks	Mauzy
Christie	McKool
Connally	Moore
Creighton	Patman
Harrington	Ratliff
Herring	Schwartz
Hightower	Sherman
Jordan	Wallace
Kennard	Watson
Kothmann	

**Absent—Excused**

Grover	Snelson
Hall	Wilson
Harris	Word

**Senate Bill 517 on Second Reading**

On motion of Senator Blanchard and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 517, A bill to be entitled "An Act relating to exclusions from coverage of the State Building Construction Administration Act; etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Senate Bill 517 on Third Reading**

Senator Blanchard moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 517 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—25**

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Harrington	Wallace
Herring	Watson
Hightower	

**Absent—Excused**

Grover	Snelson
Hall	Wilson
Harris	Word

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 645 on Second Reading

On motion of Senator Bernal and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 645, A bill to be entitled "An Act relating to the sale, offer to sell, and prohibited use of certain substances that release toxic vapors; providing penalties; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 645 on Third Reading

Senator Bernal moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 645 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—25

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Harrington	Wallace
Herring	Watson
Hightower	

#### Absent—Excused

Grover	Snelson
Hall	Wilson
Harris	Word

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Committee Substitute Senate Bill 397 on Second Reading

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 397, A bill to be entitled "An Act to amend 'Sec. 22a.' of Sec. 3(a) of Article 4, Title 122A, Ch. 1, 2nd C. S., 61st Leg., 1969 (Art. 7150, Revised Civil Statutes of Texas, 1925, as amended), exempting from ad valorem taxation any land owned by nonprofit corporations (as defined in the Texas Non-Profit Corporation Act) which property is reasonably necessary for, and used for, the promotion of certain purposes; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Record of Vote

Senator Patman asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

(President in Chair.)

#### Committee Substitute Senate Bill 397 on Third Reading

Senator Watson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 397 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—22

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Ratliff
Christie	Schwartz
Connally	Sherman
Harrington	Wallace
Hightower	Watson

#### Nays—3

Creighton	Patman
Herring	

## Absent—Excused

Grover	Snelson
Hall	Wilson
Harris	Word

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## Record of Votes

Senators Patman, Creighton, and Herring asked to be recorded as voting "Nay" on the final passage of the bill.

## Senate Bill 412 on Second Reading

Senator Herring asked unanimous consent to suspend the regular order of business and take up S. B. No. 412 for consideration at this time.

There was objection.

Senator Herring then moved to suspend the regular order of business and take up S. B. No. 412 for consideration at this time.

The motion prevailed.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 412, A bill to be entitled "An Act authorizing the transfer of the land of the Confederate Woman's Home from the Texas Department of Mental Health and Mental Retardation to the State Building Commission; etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 412 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 412 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—24

Aikin	Beckworth
Bates	Bernal

Blanchard	Kennard
Bridges	Kothmann
Brooks	Mauzy
Christie	McKool
Connally	Moore
Creighton	Ratliff
Harrington	Schwartz
Herring	Sherman
Hightower	Wallace
Jordan	Watson

## Nays—1

Patman

## Absent—Excused

Grover	Snelson
Hall	Wilson
Harris	Word

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## Record of Vote

Senator Patman asked to be recorded as voting "Nay" on the final passage of the bill.

## Senate Bill 621 on Second Reading

On motion of Senator Kennard and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 621, A bill to be entitled "An Act relating to the power of political subdivisions to place certain signs along certain rights-of-way; and declaring an emergency."

The bill was read second time.

Senator Creighton offered the following Committee Amendment to the bill:

Amend S. B. 621 by striking Section 1, substituting in lieu thereof the following:

"Sec. 1. A political subdivision may place advisory safety or useful directional information signs of a type that cannot be mistaken as official signs along the public rights-of-way under their control other than state highway routes for revenue purposes."

The Committee Amendment was read and was adopted.



On motion of Senator Creighton and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Senate Bill 621 on Third Reading

Senator Kennard moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 621 be placed on its third reading and final passage.

The motion prevailed by the following vote:

##### Yeas—25

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Harrington	Wallace
Herring	Watson
Hightower	

##### Absent—Excused

Grover	Snelson
Hall	Wilson
Harris	Word

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 213 on Second Reading

On motion of Senator Bernal and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 213, A bill to be entitled "An Act relating to the creation, establishment, operation, and dissolution of a county civil service system in certain counties; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 213 on Third Reading

Senator Bernal moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 213 be placed on its third reading and final passage.

The motion prevailed by the following vote:

##### Yeas—25

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Harrington	Wallace
Herring	Watson
Hightower	

##### Absent—Excused

Grover	Snelson
Hall	Wilson
Harris	Word

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

##### Yeas—25

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Harrington	Wallace
Herring	Watson
Hightower	

##### Absent—Excused

Grover	Snelson
Hall	Wilson
Harris	Word

#### Senate Joint Resolution 2 on Second Reading

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to

take up for consideration at this time on its second reading and passage to engrossment:

S. J. R. No. 2, Proposing an amendment to Section 48a, Article III, Constitution of the State of Texas, to reduce the minimum service requirement for eligibility under the teacher retirement system from ten years to five years.

The resolution was read second time.

Senator Brooks offered the following Committee Amendment to the resolution:

Amend Section 1 of Senate Joint Resolution 2 by substituting the and words "Article III," for the words, "Section III," in line 32.

The Committee Amendment was read and was adopted.

The resolution as amended was passed to engrossment.

#### Senate Joint Resolution 2 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring resolutions to be read on three several days be suspended and that S. J. R. No. 2 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—25

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Harrington	Wallace
Herring	Watson
Hightower	

#### Absent—Excused

Grover	Snelson
Hall	Wilson
Harris	Word

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time.

Senator Brooks offered the following amendment to the resolution:

Amend Section 2 of S. J. R. 2 by striking all words following the word "proposition:" and substituting therefor the words "The constitutional amendment reducing the minimum service requirement for eligibility under the Teacher Retirement System from ten years to five years."

The amendment was read and was adopted by the following vote:

#### Yeas—25

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Harrington	Wallace
Herring	Watson
Hightower	

#### Absent—Excused

Grover	Snelson
Hall	Wilson
Harris	Word

On motion of Senator Brooks, the caption was amended to conform to the body of the resolution as amended.

The resolution as amended was passed by the following vote:

#### Yeas—25

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Harrington	Wallace
Herring	Watson
Hightower	

#### Absent—Excused

Grover	Snelson
Hall	Wilson
Harris	Word

**Senate Bill 494 on Second Reading**

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 494, A bill to be entitled "An Act creating a Texas Advisory Commission on Intergovernmental Relations; etc.; and declaring an emergency."

The bill was read second time.

Senator Creighton offered the following Committee Amendment to the bill:

Amend Section 5, Senate Bill 494 to read as follows:

"Sec. 5. MEMBERS OF THE COMMISSION. The commission shall be composed of twenty-four members as follows: four county officials, four city officials, two public school officials, two representatives of other political subdivisions, two federal officials residing in Texas and responsible for federal programs operating in the State, and four private citizens all appointed by the Governor; three State Senators appointed by the Lieutenant Governor; and three State Representatives appointed by the Speaker of the House. Each of these public officials or employees appointed to the commission shall perform the duties of a member of the commission as additional duties required of him in his other official capacity."

The Committee Amendment was read and was adopted.

On motion of Senator Creighton and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

**Senate Bill 494 on Third Reading**

Senator Creighton moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 494 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—25**

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Harrington	Wallace
Herring	Watson
Hightower	

**Absent—Excused**

Grover	Snelson
Hall	Wilson
Harris	Word

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Senate Bill 236 on Second Reading**

On motion of Senator Patman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 236, A bill to be entitled "An Act eliminating the qualification that cities, towns, and villages with authority to enforce land use restrictions contained in subdivision dedications must be situated in a county having a population of more than 1,000,000 and extending the authority to any city, town, or village having a population of more than 10,000; etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Senate Bill 236 on Third Reading**

Senator Patman moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 236 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—25

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Harrington	Wallace
Herring	Watson
Hightower	

## Absent—Excused

Grover	Snelson
Hall	Wilson
Harris	Word

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—25

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Harrington	Wallace
Herring	Watson
Hightower	

## Absent—Excused

Grover	Snelson
Hall	Wilson
Harris	Word

Committee Substitute  
Senate Bill 428 on Second Reading

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 428, A bill to be entitled "An Act providing that it is not a defense to a prosecution for water pollution that a permit or order authorizing the discharge has been issued by the Texas Water Qual-

ity Board, the Texas Water Development Board, or the Texas Railroad Commission unless same is concurred in by the local governing body; amending Section 2, Article 698c, Penal Code of Texas, 1925; and declaring an emergency."

The bill was read second time and passed to engrossment.

Committee Substitute  
Senate Bill 428 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 428 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—25

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Harrington	Wallace
Herring	Watson
Hightower	

## Absent—Excused

Grover	Snelson
Hall	Wilson
Harris	Word

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## Senate Bill 337 on Second Reading

On motion of Senator Jordan and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 337, A bill to be entitled "An Act authorizing the Board of Regents of The University of Texas System to establish, maintain, and

operate System Nursing Schools as branches of The University of Texas Nursing School (System-wide); providing for severability; repealing all laws in conflict; and declaring an emergency."

The bill was read second time.

Senator Jordan offered the following Committee Amendment to the bill:

Amend Section 1 of S. B. No. 337 to read as follows:

"Section 1. The Board of Regents of The University of Texas System is authorized to establish, maintain, and operate The University of Texas Nursing School (System-wide) which is composed of the following branches: The University of Texas (Undergraduate) Nursing School at Austin; The University of Texas (Graduate) Nursing School at Austin; The University of Texas (Undergraduate) Nursing School at El Paso; The University of Texas (Clinical) Nursing School at Galveston; and The University of Texas (Clinical) Nursing School at San Antonio. The Board of Regents of The University of Texas System is authorized to provide for the education of nursing students at each nursing school; however, all hospital facilities and services required for the operation and maintenance of each nursing school shall be furnished and provided at no cost and expense to the State of Texas, except The University of Texas (Clinical) Nursing School at Galveston."

The Committee Amendment was read and was adopted.

On motion of Senator Jordan and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Record of Vote

Senator Mauzy asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

#### Senate Bill 337 on Third Reading

Senator Jordan moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three

several days be suspended and that S. B. No. 337 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—22

Bates	Hightower
Beckworth	Jordan
Bernal	Kennard
Blanchard	Kothmann
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Harrington	Wallace
Herring	Watson

#### Nays—3

Aikin	McKool
Mauzy	

#### Absent—Excused

Grover	Snelson
Hall	Wilson
Harris	Word

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Record of Votes

Senators Mauzy and McKool asked to be recorded as voting "Nay" on the final passage of the bill.

#### Senate Bill 554 on Second Reading

On motion of Senator Wallace and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 554, A bill to be entitled "An Act providing for the lump-sum payment upon termination of service of a portion of the accumulated sick leave and vacation leave of firemen and policemen in certain cities; etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Senate Bill 554 on Third Reading**

Senator Wallace moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 554 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—25**

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Harrington	Wallace
Herring	Watson
Hightower	

**Absent—Excused**

Grover	Snelson
Hall	Wilson
Harris	Word

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Senate Bill 601 on Second Reading**

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 601, A bill to be entitled "An Act amending Article 4570, Revised Civil Statutes of Texas, 1925, as last amended by Chapter 27, Acts of the 58th Legislature, Regular Session, 1963, to establish the grounds on which the State Board of Podiatry Examiners may refuse to admit a person to examination or to license a person to practice podiatry; etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Senate Bill 601 on Third Reading**

Senator Watson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 601 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—25**

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Harrington	Wallace
Herring	Watson
Hightower	

**Absent—Excused**

Grover	Snelson
Hall	Wilson
Harris	Word

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Memorial Resolutions**

S. R. No. 938—By Senator Herring: Memorial resolution for Miss Jeanette Giles.

S. R. No. 939—By Senator Herring: Memorial resolution for Elmore R. Torn.

S. R. No. 944—By Senator Watson: Memorial resolution for Billy L. Crabb.

S. R. No. 945—By Senator Watson: Memorial resolution for Mrs. W. L. (Lee Ora) Jones.

S. R. No. 946—By Senator Watson: Memorial resolution for Mrs. Emma K. Dieterich.

**Welcome and Congratulatory Resolutions**

S. C. R. No. 74—By Senator Kothmann: Extending admiration for the efforts of the International Trade Fair in San Antonio.

S. R. No. 940—By Senator Moore: Setting aside in the Journal for today appropriate notation for the 100th anniversary of the establishment of Texas Agricultural and Mechanical College. (Amended.)

S. R. No. 941—By Senator McKool: Extending welcome to Mr. HU Tou, from Republic of China, Taiwan.

S. R. No. 942½—By Senator Schwartz: Extending congratulations to Senator and Mrs. "Doc" Blanchard on their 24th wedding anniversary.

S. R. No. 943—By Senator Herring: Extending sincere appreciation to Air Force Sgt. Robert L. Jones for one-man fund raising drive to save the lives of two Austin youths. (Amended.)

#### Adjournment

On motion of Senator Aikin the Senate at 4:24 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

### FIFTY-FOURTH DAY

(Tuesday, April 13, 1971)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Word
Hightower	

#### Absent—Excused

Bridges                      Wilson

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### Leaves of Absence

Senator Wilson was granted leave of absence for today on account of important business on motion of Senator Wallace.

Senator Bridges was granted leave of absence for today on account of important business on motion of Senator Christie.

#### Reports of Standing Committees

Senator Creighton submitted the following reports for the Committee on Water and Conservation:

H. B. No. 1458.

S. B. No. 552.

H. B. No. 496.

H. B. No. 494.

H. B. No. 555.

Senator McKool submitted the following report for the Committee on Privileges and Elections:

S. B. No. 896 (Amended).

Senator Brooks submitted the following report for the Committee on State Departments and Institutions:

S. B. No. 886.

Senator Bates submitted the following report for the Committee on Transportation:

H. B. No. 32 (Floor report).

Senator Kennard submitted the following report for the Committee on Public Health:

C. S. S. B. No. 553 (Read first time).

Senator Brooks submitted the following report for the Committee on Banking:

S. B. No. 912.

Senator Hall submitted the following report for the Committee on County, District and Urban Affairs:

S. B. No. 880.